

Appln. No. 10/779,391
Amendment dated October 19, 2004
Reply to Office Action mailed July 27, 2004

REMARKS

Reconsideration is respectfully requested.

Claims 1 through 8 remain in this application. Claims 9 through 12 have been added.

The Examiner's rejections will be considered in the order of their occurrence in the Office Action.

Paragraphs 1 and 2 of the Office Action

Claims 1-8 have been rejected under 35 U.S.C. §102(b) as being anticipated by Renfroe (3563015).

It is submitted that the Renfroe reference does not disclose, teach or suggest "a plurality of fin members, said fin members being insertable into said slots such that said fin members extend from said lawnmower blade whereby said fin members increase air flow when said lawnmower blade rotates". The Office Action indicates that the area identified as the opening (15) and the cutter end portion (23) in the Renfroe reference as representing the slots and fin members, respectively, indicated by the claims of the applicant. The Renfroe reference fails to meet the requirements of that claimed by the applicant in that the claim requires the fin members are inserted into the slots and extend from the lawnmower blade to increase air flow as the lawnmower blade is rotated where the Renfroe reference fails to teach the cutter end portion (23) being inserted into the opening (15) and additionally the cutter end portion is positioned substantially coplanar to the cutter bar and therefore would not provide an increase in the air flow produced by the cutter bar (1). Additionally the applicant's claims require that the fin members extend upwardly and downwardly from the lawnmower blade whereas the Renfroe reference clearly teaches the cutter end portion (23) only extending downwardly from the cutter bar as the flat base (16) is positioned in the cutter bar (1) and the stops (25) of the cutter bar (1) only allow the cutter end portion (23) to extend downwardly from the cutter bar

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(1) and therefore the Renfroe reference fails to meet the requirements of the applicant's claims. Further, for claims to be anticipated by a reference that reference must describe every element of those claims as well as those elements must be arranged as is required by the claims as expressed in MPEP 2131 stated below.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Note that, in some circumstances, it is permissible to use multiple references in a 35 U.S.C. 102 rejection. See MPEP § 2131.01."

Therefore, it is submitted that the Renfroe reference would not lead one to anticipate the combination of features as required by the applicant.

Withdrawal of the §102(b) rejection of claims 1-8 is therefore respectfully requested.

New Claims:

New claims 9 through 12 have been added to vary the scope of the claims and clarify the present invention. All limitations are supported by the original disclosure including the specification, drawings and original claims. Therefore, no new matter has been added. The new claims are believed to be allowable.

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CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

LEONARD & PROEHL, Prof. L.L.C.

By 
Robert K. Huck (Reg. No. 45,761)
LEONARD & PROEHL, Prof. L.L.C.
Customer Number 40158
3500 South First Avenue Circle, Suite 250
Sioux Falls, SD 57105-5807
(605)339-2028 FAX (605)336-1931

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